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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/253,174 | 02/19/1999 | AMAD TAYEBI | | 5304 |

7590 03/25/2002
AMAD TAYEBI
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WESTFORD, MA 01886

EXAMINER

AHMAD, NASSER

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

1772

DATE MAILED: 03/25/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

A 3-21

Office Action Summary

Application No.
09/253,174

Applicant(s)
Tayebi

Examiner
Nasser Ahmad

Art Unit
1772



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 6, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13, 15, and 19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 15, and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|--|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 20) <input type="checkbox"/> Other: _____ |

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1. The terminal disclaimer filed on December 6, 2001 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent Number 5,989,667 has been reviewed and is accepted. The terminal disclaimer has been recorded.
2. Claims 13, 15, and 19 are rejected under 35 USC102(b) as being anticipated by Madole for reasons of record in paper no. 18, paragraph-6, mailed on August 6, 2001.
3. Claims 13, 15, and 19 are rejected under 35USC103(a) as being unpatentable over Madole for reasons of record in paper no. 18, paragraph-8.
4. Applicant's arguments filed December 6, 2001 have been fully considered but they are not persuasive. Applicant argues that the claims of the instant application are distinct from Madole because Madole fails to teach the limitation of "said first area extending to said top edge of said parallel side edges to the other of said parallel side edges..." and that limitation~~s~~ was discussed with the during an interview on January 23, 2001. These are not deemed to be convincing because Madole does teach the stated limitation, in that the first area does extend to the top of the sheet perimeter^{and} also extends from one side to the other. See Madole figure 1-2. The area above line 28 (fig. 1) is considered to be the first area of the sheet and the adhesive-free second area is the portion below the line 28. Further, contrary to applicants' allegation, this specific limitation was not discussed at the date interview. Applicant is requested to review his copy of the interview summary record on January 23, 2001.

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Applicant also argues that Madole fails to teach that the first area extended to the top edge and that Madole's adhesive is spaced from the top edge of the sheet. These are not found to be persuasive because, as explained above, Madole's first area does extend to the top edge of the sheet. Further, upon removal of the strip located between the perforation line 26 and the edge of the sheet (fig-1), the adhesive area 20 covers the first area completely and continuously.

As for Madole's teaching in col. 4, lines 30-39, it was cited to show that adhesive coating can be used with optimum strength.

Thus, in the absence of any evidence to the contrary, it remains the Examiner's position that instant claimed invention is anticipated or rendered obvious over the prior art of record discussed above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

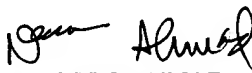
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is (703)308-4424 . The examiner can normally be reached on Monday-Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (703)308-4251. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


NASSER AHMAD
PRIMARY EXAMINER

Examiner Ahmad/ng

March 22, 2002